

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

STANLEY F. WILSON,)	
)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:11-cv-02302-JTF-cgc
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	

**ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION
ORDER GRANTING DEFENDANTS’ MOTION TO DISMISS
ORDER DENYING PLAINTIFF’S MOTION FOR JOINDER**

Before the Court is Defendant’s United States of America Motion to Dismiss Complaint, filed on August 3, 2012, pursuant to Fed. R. Civ. P. 12(b)(1) (D.E. #15); and Plaintiff’s Motion for Joinder, filed on June 10, 2013 (D.E. #34). On March 27, 2013, these Motions were referred to the Magistrate for Report and Recommendation, pursuant to 28 U.S.C. §§631-39. (D.E. #25). On June 12, 2013, the Magistrate entered her Report and Recommendation, recommending that Defendant’s Motion for Dismiss should be granted and that Plaintiff’s Motion for Joinder should be denied as moot. (D.E. #35). On June 26, 2012, Plaintiff filed a “Motion of Appeal from Magistrate Judge to District Judge In Accordance with the Rules of Civil Procedure Rule under Title 28, U.S.C. § 636(c)(4) and Rule 73(d)” as an objection to the Magistrate’s Report and Recommendation. Plaintiff’s objections to the Magistrate’s Report and Recommendation are extraneous and do not address the Magistrate’s analysis of the dismissal of his Complaint or of his Motion for Joinder.

Thus, after reviewing the Magistrate Judge's Report and Recommendation, the parties' motions and responses, Plaintiff's objections, and the entire record, the Court hereby ADOPTS the Magistrate's Report and Recommendation.

IT IS THEREFORE ORDERED that Defendants' Motion to Dismiss Plaintiffs' Complaint for lack of subject-matter jurisdiction under Fed. R. Civ. P. 12(b)(1) is GRANTED, and Plaintiff's Motion for Joinder is DENIED as MOOT.

IT IS SO ORDERED this 11th day of July, 2013.

BY THIS COURT:

s/John T. Fowlkes, Jr.
JOHN T. FOWLKES, JR.
United States District Judge